

SENATE BILL 3729

By Herron

AN ACT to amend Tennessee Code Annotated, Title 56,
relative to insurance coverage for mudslides and
landslides.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 1, is amended by
adding the following new section thereto:

§ 56-7-134.

(a) As used in this section, "landslide" means any detached mass of soil, rock or debris that is of sufficient size to cause damage and that moves down a slope or a stream channel.

(b) Every insurer offering homeowner property insurance in this state shall make available coverage for insurable landslide losses on any dwelling, including contents of personal property contained in the dwelling, to the extent provided in the policy to which the landslide coverage attaches.

(c) Every insurer authorized to transact property insurance in this state shall make a proper filing with the department of commerce and insurance for the purpose of extending the appropriate policy of homeowner property insurance to include coverage for landslide losses. The insurer may make coverage available in the policy itself, by endorsement, or through other coverage that the insurer may arrange, and the insurer may make an additional charge for the coverage.

(d) No insurer shall fail to renew any policy of property insurance on the basis of filing of claims for loss caused by landslide damage, as long as the total of payments does not exceed the current policy limits of coverage for property damage.

(e) The commissioner may promulgate rules and regulations for the purpose of administering and enforcing this section.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.